

IN THE UNITED STATES DISTRICT COURT
FOR THE WESTERN DISTRICT OF NORTH CAROLINA
CHARLOTTE DIVISION
CIVIL ACTION NO. 3:18-CV-00484-FDW

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LEANNE E. SNIPES,))
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Plaintiff,))
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))
v.)) ORDER
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ANDREW SAUL, *Commissioner of Social*))
Security,))
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Defendant.))
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THIS MATTER is before the Court on Plaintiff's Amended Motion for Attorney Fees under the Equal Access to Justice Act 28 U.S.C. § 2412(d)(1)(A). (Doc. No. 20). Having reviewed the motion, supporting materials, and the case file, the Court hereby GRANTS the motion and determines that Plaintiff should be awarded an attorney's fee under the Equal Access to Justice Act ("EAJA"), 28 U.S.C. § 2412(d), in the amount of \$7,100. Plaintiff's first motion for attorney fees, (Doc. No. 18), is hereby DENIED AS MOOT.

IT IS ORDERED that the Plaintiff's Consent Motion for Attorney Fees (Doc. No. 20) is GRANTED, to the extent that the Court will award attorney's fees in the amount of \$7,100, and that pursuant to Comm'r of Soc. Sec. v. Ratliff, 560 U.S. 586 (2010), the fee award will first be subject to offset of any debt Plaintiff may owe to the United States. The Commissioner will determine whether Plaintiff owes a debt to the United States. If so, the debt will be satisfied first, and if any funds remain, they will be made payable to Plaintiff and mailed to Plaintiff's counsel. If the United States Department of the Treasury reports to the Commissioner that the Plaintiff does not owe a federal debt, the government will exercise its discretion and honor an assignment of

EAJA fees, and pay the awarded fees directly to Plaintiff's counsel. No additional petition pursuant to 28 U.S.C. § 2412(d) shall be filed.

IT IS SO ORDERED.

Signed: August 29, 2019



Frank D. Whitney
Chief United States District Judge

